

**IN THE BOARD OF SUPERVISORS**  
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

\_\_\_\_ day \_\_\_\_\_, 2015

**PRESENT:**

**ABSENT:**

**RESOLUTION NO. \_\_\_\_\_**

**RESOLUTION OF THE BOARD OF SUPERVISORS OF THE  
COUNTY OF SAN LUIS OBISPO DECLARING ITS INTENTION  
TO ESTABLISH THE SAN LUIS OBISPO COUNTY TOURISM  
MARKETING DISTRICT (TMD), DECLARING ITS INTENTION TO  
LEVY AN ASSESSMENT ON LODGING BUSINESSES WITHIN  
SUCH DISTRICT BEGINNING FISCAL YEAR 2015-16, AND  
FIXING THE TIME AND PLACE OF A PUBLIC MEETING AND A  
PUBLIC HEARING THEREON AND GIVING NOTICE THEREOF**

The following resolution is now offered and read:

**WHEREAS**, the Property and Business Improvement District Law of 1994 (Streets and Highway Code §36600 et seq.) authorizes cities and counties to establish property and business improvement districts for the purpose of promoting tourism; and

**WHEREAS**, Visit San Luis Obispo County (Visit SLO Co) has proposed the formation of the San Luis Obispo County Tourism Marketing District (TMD) and has drafted a management district plan (Plan) which sets forth the proposed boundary of the TMD, a service plan and budget, and a proposed means of governance; and

**WHEREAS**, a majority of the lodging businesses who will pay more than 50% of the assessments proposed to be levied by the TMD have petitioned the Board of Supervisors to establish the TMD; and

**WHEREAS**, the cities of Arroyo Grande, Atascadero, El Paso de Robles, Grover Beach, Morro Bay, Pismo Beach and San Luis Obispo have adopted resolutions consenting to the formation of TMD within their jurisdictions pursuant to Streets and Highways Code §36620.5.

**NOW THEREFORE**, the Board of Supervisors of the County of San Luis Obispo does hereby resolve, determine and find as follows:

Section 1. The recitals set forth herein are true and correct.

Section 2. The Board finds that the lodging businesses that will pay more than 50% of the assessments proposed in the Plan have signed and submitted petitions in support of the formation of the TMD. The Board accepts the petitions and adopts this resolution of intention to establish the TMD and to levy an assessment on certain lodging businesses that pay transient occupancy tax (TOT) within the TMD boundaries in accordance with the Property and Business Improvement District Law of 1994.

Section 3. The Board finds that the Plan satisfies all requirements of Streets and Highways Code §36622.

Section 4. The Board declares its intention to establish the TMD and to levy and collect annual assessments on certain lodging businesses that pay TOT with the TMD boundaries pursuant to the Property and Business Improvement District Law of 1994, in the fiscal year (2015-16) following the approval of the resolution establishing the TMD.

Section 5. The boundaries of the TMD shall be the boundaries of the County of San Luis Obispo including the cities of Arroyo Grande, Atascadero, El Paso de Robles, Grover Beach, Morro Bay, Pismo Beach and San Luis Obispo, as set forth in the attached map, incorporated herein as Exhibit A.

Section 6. The name of the district shall be the San Luis Obispo County Tourism Improvement District (TMD).

Section 7. The annual assessment is 1% of the annual gross of the rent charged by operator per occupied room per night for all transient occupancies. Federal government employees on government business will be exempt from the levy of assessment. Extended stays, defined as more than 30 consecutive calendar days, shall be exempt from the levy of assessment. The assessment shall be collected in monthly installments or such other installments as determined by the collecting agency, based on 1% of the rent charged by the operator per occupied room per night in revenues for the previous month. New lodging businesses within the boundaries shall not be exempt from the levy of assessment authorized by Section 36628.5 of the law. Assessments pursuant to the TMD shall not be included in gross room rental revenue for purpose of determining the amount of the transient occupancy tax.

Section 8. The assessments levied for the TMD will specifically benefit the assessed lodging businesses and shall be applied towards sales, marketing, advertising, and promotional activities of the TMD as a tourist, meeting, and event destination. Funds remaining at the end of any year may be used in subsequent years in which the TMD assessments are levied pursuant to the requirements of the Plan.

Section 9. The TMD will have a five (5) year term unless renewed pursuant to the Streets and Highways Code §36660.

Section 10. Bonds will not be issued by or on behalf of the TMD.

Section 11. The Board hereby sets **March 10, 2015** as the date for a public meeting on the establishing the TMD and the levy of assessments.

Section 12. The Board hereby sets **April 7, 2015** as the date for the public hearing to establish the TMD and levy of assessments.

Section 13. Both the public meeting and hearing will be at 9:00 a.m., or as soon thereafter as practicable, in the Board of Supervisors Chambers located at 1055 Monterey Street, San Luis Obispo, California.

Section 14. The Clerk of the Board is directed to provide written notice to the lodging businesses subject to the proposed assessment of the date and time of the hearing and to provide that notice as required by Streets and Highways Code §36623(b).

Section 15. At the public meeting and hearing, the testimony of all interested person for or against the establishment of the TMD may be received. Written protests must be received by the Clerk of the Board prior to the start of the public hearing on April 7, 2015. If at the conclusion of the public hearing there are of record written protests from owners of lodging businesses in the proposed TMD that will pay 50 percent or more of the annual assessment levied, no further proceedings to levy the proposed assessment shall be taken for a period of one year.

Section 16. The complete Plan is on file with the Clerk of the Board and may be reviewed upon request.

Upon motion of Supervisor \_\_\_\_\_, seconded by  
Supervisor \_\_\_\_\_, and on the following roll call, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING:

the foregoing resolution is hereby adopted.

COUNTY OF SAN LUIS OBISPO

BY: \_\_\_\_\_  
Chairperson, Board of Supervisors

ATTEST

By: \_\_\_\_\_  
Clerk of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT

RITA L. NEAL  
County Counsel

By:  \_\_\_\_\_  
Chief Deputy County Counsel

Dated: February 2, 2015